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ORDINANCE 22-03

STR OPERATING STANDARDS REVISIONS

BOARD OF COMMISSIONERS
APRIL 27, 2022

BACKGROUND

SHORT-TERM RENTAL MORATORIUM TIMELINE

	2021							2022			
	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR
DLCD 45-Day Notice for Moratorium	✓	✓									
Prepare Draft Moratorium Ordinance	✓	✓									
BOC Work Session / Town Hall – Moratorium Ordinance		✓									
14-Day Public Comment Period – Moratorium Ordinance		✓									
1 st Public Hearing – Moratorium Ordinance (August 11)			✓								
2 nd Public Hearing – Moratorium Ordinance (August 25)			✓								
Moratorium in Effect until April 28, 2022				✓	✓	✓	✓	✓	✓		
Prepare Draft #1 - Combined Ordinance and Revisions	✓	✓	✓								
BOC Work Session / Town Hall – Draft #1				✓							
14-Day Written Public Comment Period – Draft #1				✓							
Prepare Draft #2 – Combined Ordinance and Revisions					✓						
BOC Work Session / Town Hall – Draft #2						✓					
14-Day Written Public Comment Period – Draft #2						✓					
Prepare Draft #3 – Combined Ordinance and Revisions							✓				
BOC Work Session / Town Hall – Draft #3 – January 26, 2022								✓			
14-Day Written Public Comment Period – Draft #3								✓			
1 st Public Hearing – Combined Ordinance (February 9, 2022)									x		
BOC Work Session – February 26, 2022									✓		
LAWDUC Revisions – Planning Commission Review (March 8, 2022)										✓	
LAWDUC and Code Revisions – 1 st Public Hearing BOC (Tentative: April 13, 2022)											✓
LAWDUC and Code Revisions – 2 nd Public Hearing BOC (Tentative: April 27, 2022)											
Moratorium Expires: April 28, 2022											

Board of Commissioner
Work Sessions
February 24, 2021
April 20, 2021
June 1, 2021
August 3, 2021
January 26, 2022
February 16, 2022

Board of Commissioner Meetings
August 11, 2021
First public hearing of moratorium
August 25, 2021
Board adopts moratorium,
effective September 1, 2021
December 8, 2021
Board extends moratorium
through April 28, 2022

Public Town Hall Meetings
July 9, 2021
July 16, 2021
September 24, 2021
November 12, 2021
January 22, 2022

Planning Commission Work Session
November 12, 2019

Planning Commission Public Hearing
March 8, 2022

Staff Quarterly Town Hall Meetings
Arch Cape: October 14, 2020
Arch Cape: January 27, 2021
Clatsop Plains: October 30, 2020
Clatsop Plains: January 28, 2021
Cove Beach: July 28, 2020
Cove Beach: November 14, 2020
Cove Beach: January 26, 2021

OPERATING STANDARDS

- **Addressed in Title 5 of the Clatsop County Code (CCC)**
- **Provides standards to “enhance public safety and livability”**
- **HOW an STR is operated, not where**
- **Includes provisions regulating:**
 - **Parking**
 - **Occupancy**
 - **Trash**
 - **Noise**
 - **Permit transferability**
 - **Other areas of operation**

OPERATING STANDARDS

- Proposed amendments to Section 5.12 **ONLY** affect unincorporated areas of Clatsop County **EXCEPT** Arch Cape
 - Arcadia
 - Clatsop Plains
 - Knappa
 - Svensen
 - Jewell
 - Fishhawk Lake
 - Gearhart UGB
- Section 5.24 adds Arch Cape operating standards to the Clatsop County Code
 - These standards **ONLY** apply to Arch Cape

OPERATING STANDARDS

Ordinance 22-03 would amend
Section 5.12 CCC by revising or
adding the following standards:

1. **“Good Neighbor” Flyer:** Require posting in all STRs. “Good Neighbor” flyer would address:
 - Emergency information regarding power outages, wildfires, landslides and tsunamis
 - Quiet hours
 - Parking requirements
 - Speed limits
 - Garbage
 - Pet control and safety
 - Open burning/fires
 - Fireworks
 - Drones
 - Trespassing
 - Other issues as needed

OPERATING STANDARDS

Ordinance 22-03 would amend
Section 5.12 CCC by revising or
adding the following standards:

2. **Permit Transferability:** Prohibit transfer of STR permits. If an STR is sold, the new owners would be required to apply for a new permit and have new septic and building inspections
3. **Length of Permit:** Change permit expiration from 5 years to 2 years. Retain current \$550 fee.
4. **Occupancy:** Base occupancy on septic capacity or an average of 2 persons per sleeping area up to a maximum of 14 persons
5. **Complaint Process/Violations:** Create a tiered response by Code Compliance staff based upon level of severity. Life/safety violations and complaints would receive top priority

OPERATING STANDARDS

Ordinance 22-03 would amend
Section 5.12 CCC by revising or
adding the following standards:

6. **Penalties:** Create a tiered penalty system based upon severity and number of confirmed violations
7. **Unsubstantiated Complaints:** Add language that would classify knowingly false or unsubstantiated complaints as a Class B violation and allow the County to fine persons who intentionally file a false complaint
8. **Code Citations:** Update code citations to remove references to the county zoning code in Section 5.12.050
9. **Definitions:** Revise the definitions of:
 - “Dwelling Unit”
 - “Enforcement Officer”
 - “Sleeping Area”

OPERATING STANDARDS

Ordinance 22-03 would amend
Section 5.12 CCC by revising or
adding the following standards:

10. Local Agent / Representative:

- Require 20-minute phone/text/email response time to contact renters in order to resolve a complaint
- Require 60-minute physical response time for complaints about over-occupancy; failing septic; operating without a permit
- Require 24-hour physical response time for all other complaints
- Include language to acknowledge that response times may be affected by events outside the agents control

OPERATING STANDARDS

Ordinance 22-03 would also create Section 5.24 CCC to incorporate the Arch Cape STR operating standards:

Additional functional changes to the Arch Cape operating standards include:

- Remove requirement for property owners to hire an independent home inspector and instead require an application for certification from the Clatsop County Building Official. This inspection is included in the application fee
- Remove requirement for STR owners to send notices to properties within 100 feet as the County now sends notice to property owners within 300 feet. Owners pay an established fee for this mailing
- Remove language requiring annual renewal of permit and reference two-year permit as proposed in Section 5.12.090

RECOMMENDATION

- **Open the public hearing and take testimony**
- **Approve Ordinance 22-03 as submitted**
- **Conduct the second reading of Ordinance 22-03 by title only**

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QUESTIONS?

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